GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA

STARRED QUESTION NO:66
ANSWERED ON:26.02.2001
REGULARISATION OF FOREST LAND
K. MURALEEDHARAN

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Government have received any proposal from different States particularly Kerala for regularisation of encroachments of forest land by tribals;

(b) if so, the details thereof, State-wise;

(c) whether the approval has been accorded to the said proposals;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

Answer

MINISTER FOR ENVIRONMENT AND FORESTS (SHRI T.R.BAALU)

(a) to (e) A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN PARTS (a) TO (e) OF REPLY TO THE LOK SABHA STARRED QUESTION NO. 66 BY SH MURALEEDHARAN REGARDING ` REGULARISATION OF FOREST LAND` DUE FOR REPLY ON 26.2.2001.

(a) to (e) So far 19 proposals from nine different State Governments/ Union Territory Administration have been received for regularisation of encroachment of forest land under Forest(Conservation) Act,1980. Out of the above mentioned proposals, only one proposal pertained to State of Kerala involving 28,588.159 ha. of forest land in Idduki, Ernakulam, Kollam, Thrissur and Pathanamthitta districts. The proposal has already been approved on 31.1.1995. Detailed status of all the 19 proposals is annexed.

ANNEXURE IN RESPECT OF PARTS(a) to (e) OF THE STATEMENT OF LOK SABHA STARRED QUESTION NO.66 BY SHRI K. MURALEEDHARAN REGARDING ` REGULARISATION OF FOREST LAND` DUE FOR REPLY ON 26.2.2001.

NO.	NAME OF STATE/U.T	DISTRICT	AREA (HA.)	STATUS
1.	A & N Islands	Andaman	1,367	Approved .
2.	A & N Islands	Andaman	89	Rejected for want of information.
3.	A & N Islands	Andaman	735	Proposal incomplete. Additional information sought from UT Administration .
4.	Arunachal Pradesh	Dibang	10,545	Proposal incomplete. Additional information sought from the State Government.
5.	Arunachal Pradesh	Dibang	13,419.29	Approved in principle.
6.	Gujarat	Dang, Panchmahal, Sabarkantha etc.	10,900.47	Approved.
7	Gujarat	Vadodra, Dang, Surat etc.	39,750.59	Approved for 21082.33 ha.
8.	Karnataka	Bijapur	46.80	State Government has been requested

for eviction of encroachers and action
for violation of F(C) Act, 1980.

9. Karnataka Chickmaglur, D. Kannada, Mysore and U. Kannada 732.24 Rejected on merit.
10. Karnataka 19 different districts 17007.2 Approved for diversion of 14,848.83 ha.
11. Kerala Idduki, Ernakulam, Kollam,Thirssur & Pathanamthitta. 28,588.159 Approved.
12. Madhya Pradesh Shajapur 22.29 Proposal incomplete. Additional information sought from State Govt.
13. Madhya Pradesh All districts 1.03 lakh Approved for 1.03 lakh ha. out of 2.73 lakh ha.
14. Madhya Pradesh All districts 1,82,889.7 Under process.
15. Maharashtra Dhule 10,185.32 Proposal incomplete. Additional information sought from State Government.
16. Maharashtra Gadchiroli and other districts 28,886.410 Withdrawn.
17. Maharashtra 4 Divisions 335.65 Proposal incomplete. Additional information sought from State Govt.
18. Orissa 15 districts 3449.7952 + 446.995 Proposal incomplete. Additional information sought from State Govt.
19. Rajasthan 10 districts 3171.42 Proposal closed and State Government has been requested for sending consolidated proposal.

NOTE FOR SUPPLEMENTARIES TO THE LOK SABHA STARRED QUESTION NO. 66 BY SHRI K. MURALEEDHARAN REGARDING `REGULARISATION OF FOREST LAND` DUE FOR REPLY ON 26.02.2001.

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1. PURPORT OF THE QUESTION:

The Question seeks information from the Ministry on the status of proposals received from different States particularly Kerala for Regularisation of Encroachments on forest land by tribals.

GUIDELINES FOR REGULARISATION OF ENCROACHMENTS ON FOREST LAND

Encroachment of forest land for cultivation and other purposes continues to be the most pernicious practice endangering forest resources throughout the country. Statistical information compiled by Ministry of Agriculture during early 1980s revealed that nearly 7 lakh hectares of forest land was under encroachment in the country about a decade back. This is despite the fact that prior to 1980, a number of States had regularised such encroachments periodically and approximately 43 lakh hectares of forest land was diverted for various purposes between 1951 and 1980, more than half of it for agriculture. The decisions of the State Government to regularise encroachments from time to time seem to have acted as strong inducement for further encroachments in forest areas and the problem remained as elusive as ever for want of effective and concerted drive against this evil practice.

2. The National Forest Policy, 1988 has also observed the increasing trend in encroachments on forest land and stated that these should not be regularised. Implementation of this pronouncement has been examined by this Ministry keeping in view the constraints of various State Governments some of whom have expressed that they stand committed to regularise encroachments of a period prior to 1980. The issue figured prominently in the Conference of the Forest Ministers held in May, 1989 and was later examined by an inter-Ministerial Committee, set up by this Ministry in consultation with the representatives of some of the States. Keeping in view the recommendations of the Forest Ministers` Conference and the committee referred to above, and with due approval of the competent authority, the following measures are suggested for review of the old encroachments and effective implementation of the pronouncement made in this regard in the National Forest Policy, 1988.

2.1 All the cases of subsisting encroachments where the State Governments stand committed to regularise on account of past commitments may be submitted to this Ministry for seeking prior approval under the Forest (Conservation) Act, 1980. Such proposals should invariably conform to the criteria given below:

1. PRE-1980 ENCROACHMENTS WHERE THE STATE GOVERNMENT HAD TAKEN A DECISION BEFORE ENACTME THE FOREST (CONSERVATION) ACT, 1980, TO REGULARIZE `ELIGIBLE` CATEGORY OF ENCROACHMENTS.

1.1 Such cases are those where the State Governments had evolved certain eligibility criteria in accordance with local needs and conditions and had taken a decision to regularise such encroachments but could not implement their decision either wholly or partially before the enactment of the Forest (Conservation) Act, on 25.10.80.

1.2 All such cases should be individually reviewed. For this purpose the State Government may appoint a joint team of the Revenue, Forest and Tribal Welfare Department for this work and complete it as a time-bound programme.

1.3 In case where proposals are yet to be formulated, the final picture after taking into considerations all the stipulations specified here may be placed before the concerned Gaon Sabha with a view to avoid disputes in future.

1.4 All encroached lands proposed for regularisation should be properly surveyed.

1.5 Encroachments proposed to be regularised must have taken place before 25.10.1980. This must be ascertained from the First Offence Report issued under the relevant Forest Act at that point of time.

1.6 Encroachments must subsist on the field and the encroached land must be under continuous possession of the encroachers.

1.7 The encroacher must be eligible to avail the benefits of regularisation as per the eligibility criteria already fixed by the State.

1.8 As far as possible scattered encroachments proposed to be regularised should be consolidated/relocated near the outer boundaries of the forests.

1.9 The outer boundaries of the areas to be denotified for regularisation of encroachments should be demarcated on the ground with permanent boundary marks.

1.10 All the cases purposed to be regularised under this category should be covered in one proposal and it should give district-wise details.

1.11 All cases of proposed regularisation of encroachments should be accompanied by a proposal for compensatory afforestation as per existing guidelines.

1.12 No agricultural practices should be allowed on certain specified slopes.

2 .`INELIGIBLE` CATEGORY OF PRE-1980 ENCROACHMENTS WHERE THE STATE GOVERNMENTS HAD TAK DECISION PRIOR TO THE ENACTMENT OF THE FOREST (CONSERVATION) ACT, 1980.

2.1 Such cases should be treated at par with post 1980 encroachments and should not be regularised.

3. ENCROACHMENTS THAT TOOK PLACE AFTER 24.10.1980.

3.1 In no case encroachments which have taken place after 24.10.1980 should be regularised. Immediate action should be taken to

evict the encroachers. The State/UT Government may, however, provide alternate economic base to such persons by associating them collectively in afforestation activities in the manner suggested in this Ministry`s letter No. 6-21/89-FP dated 1.6.90, but such benefits should not extend to fresh encroachers.

CLARIFICATION

A reference is invited to the guidelines issued by this Ministry for regularisation of certain cases of forest encroachments reproduced above. The relevant paragraph 1.1 of the guidelines, which

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clarifies the cases of encroachments, which subject to specified conditions, would be eligible for regularisation, is reproduced below:

`Such cases are those where the State Governments had evolved certain eligibility criteria in accordance with local needs and conditions and had taken a decision to regularise such encroachments but could not implement their decisions either wholly or partially before enactment of the Forest (Conservation) Act on 25.10.1980.

2 . Doubts have been raised as to whether all encroachments that had taken place up to 25.10.1980 could be regularised in accordance with an eligibility formula by which some earlier encroachments were regularised.

3 . A perusal of the paragraph reproduced above will make it clear that there are 2 pre-conditions for any encroachments to be considered for regularisation. These are:-

(a) The State Government should have taken the decision on regularisation of encroachments before 25.10.1980; and

(b) that the decision should be with reference to some eligibility criteria (normally expected to be related to social and economics status of encroachers, location and extent of encroachment, cut off date of encroachment, etc.)

4 . It would be seen that the encroachments which are proposed to be considered for regularisation, subject to the prescribed conditions, are those which fulfilled the eligibility criteria evolved by the State Government as per decision taken before 25.10.1980 for regularisation of encroachments. The objective is limited to permitting implementation of decisions taken before 25.10.1980 which could not be implemented because the enactment of Forest (Conservation) Act, 1980 intervened. It is therefore quite clear that while all encroachments that can be considered as eligible for regularisation would have taken place before 25.10.1980, all encroachments that had taken place before 25.10.1980 would not be eligible for regularisation - they may be ineligible because either they do not meet the eligibility criteria or are not covered by any decision taken before 25.10.1980. Thus, if the decision on regularisation of encroachments in a State covered only encroachments up to a date earlier than 25.10.1980, the guidelines on regularisation of encroachments do not envisage that the State Government would now survey encroachments between that date and 25.10.1980 and propose regularisation. The latter encroachments though occurring before 25.10.1980 are not covered by any regularisation decision taken prior to that date and hence can not be considered for regularisation at this juncture.

5. Accordingly, the State Governments may take up for implementation only such decision of pre 25.10.1980 period which could not be implemented because of Forest (Conservation) Act, 1980 intervening and propose regularisation of encroachments as per those decisions and in accordance with the eligibility criteria laid down in those decisions. No encroachments not covered by any pre 25.10.1980 decisions - even though they might have occurred prior to that - should now be considered for regularisation in terms of our guidelines.

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ISSUES RELATED TO REGULARISATION OF ENCROACHMENTS IN MADHYA PRADESH.

BACKGROUND:- The State of Madhya Pradesh submitted a proposal for regularisation of encroachments on 5.12.1995. These encroachments took place between 1976 and October, 1980 and the area involved is 182889.704 hectare. Prior to receipt of this proposal, the Ministry has given approval for regularisation of encroachments over 1.03 lakh ha. of forest land in July, 1990. These encroachments took place prior to 1976.

Presently the file is under submission for decision wherein it has been recommended to approve regularisation of about 66000 ha. pre-1976 encroachments which were left out in the earlier approval, in-principle approval for 1977 to 6.3.79 encroachments (State Government to submit eligible encroachments) and rejection of encroachments that took place between 7.3.79-25.10.80. A. The Madhya Pradesh Settlement of Forest Land Viniyaman, 1999

Madhya Pradesh Government has decided that as per the provisions of the 5th Schedule of the Indian Constitution, a Notification may be issued by which Section-2 of the Forest (Conservation) Act, 1980 shall cease to be effective in the Scheduled areas of Madhya Pradesh for the purpose of settlement of encroachments in forest land which took place prior to 24.10.1980. As per the draft Viniyaman, the State Government plans to settle the encroachments in Reserved & Protected Forest, in the Scheduled areas of the State, which has been in possession of a Scheduled Tribe on or before 24th October, 1980 for the purpose of cultivation or habitation subject to various conditions/restrictions/prohibitions.

The Ministry has not agreed to the draft Bill on following grounds:

- Under various Rules and Guidelines to Forest (Conservation) Act, 1980, a provision already exists to regularise Pre-1980 encroachments where the State Government had taken a decision before the enactment of Forest (Conservation) Act, 1980, to regularise eligible category of encroachments subject to some eligibility criteria.

- The draft Viniyaman is basically an attempt to dilute the spirit and extent of the Forest (Conservation) Act, 1980. The Hon`ble Supreme Court in the ongoing Public Interest Litigation namely WP No. 202/95 has given directions that no action should be taken to dilute the provisions of the Act.

- The Government of India has already given formal approval for regularisation of encroachments on forest land which had taken place in the State prior to 31.12.1976. The approval under Forest (Conservation) Act, 1980 was accorded on 5.7.1990, 6.7.1990 & 24.8.1990 in respect of 1.03 lakh hectares of encroached forest land in favour of eligible encroachers as per the eligibility criteria determined by the State Government, subject to certain conditions/stipulations.

A. NATIONAL COMMISSION FOR SCHEDULED CASTES AND SCHEDULED TRIBES

National Commission of Scheduled Castes and Scheduled Tribes has taken a keen interest in regularisation of encroachments in Madhya Pradesh. So far 6 meetings on the issue has been held in the Commission. The Commission has directed for early action for regularisation. Although the State Government pleaded their case that encroachments should be regularised up to 25.10.1980, but the Ministry expressed its inability to do so within the existing policy and guidelines on the issue. However, proposal for regularisation up to 6.3.1979 is already under submission for decision.

B. ORDERS OF THE HON`BLE SUPREME COURT

The Hon`ble Supreme Court in its order dated 14.02.2000, in IA No. 513 in WP No. 202/1995, has taken cognizance of non-compliance of conditions which were stipulated by the Ministry while regularising encroachments on 1.03 lakh hectare forest land. The State Governments of Madhya Pradesh and Chattisgarh have started compensatory afforestation in -lieu during the current financial year. Further while hearing the matter on 22.9.2000 the Hon`ble Supreme Court passed certain orders on the matter of regularisation of encroachments in Madhya Pradesh. The extract of the orders states that `the conditions imposed in relation to regularisation are required to be fulfilled first before any regularisation is granted.- - - - In other words, the eligibility condition for permission to grant regularisation of encroachments would be the fulfilment beforehand of conditions under the Guidelines, especially in regard to compensatory afforestation.` The crux of the orders is that the State Government should comply with the condition of compensatory afforestation to be imposed before the permission is granted for regularisation.

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FOREST (CONSERVATION) ACT, 1980 AND ITS IMPLEMENTATION

A. HISTORICAL BACKGROUND

(a) Indiscriminate and massive diversion of forest land for non-forest purposes was going on since independence and as a result, approx. 43 lakh hectares of forest land has been diverted during the period 1950 to 1980 without any regard to environmental consideration.

(b) In order to enforce greater control on preservation of forests, the constitution was amended in 1977 to bring `forest` on the concurrent list from the state list.

(c) In 1978, the Central Government issued guidelines to all States suggesting that all proposals involving diversion of forestland above 10 hectares should be referred to the Central Government for prior concurrence.

(d) The State Governments paid scant regard to these and the diversion of forest land continued unabated.

(e) Ultimately in 1980, the Forest (Conservation) Act was enacted with a view to conserve the forests and for the purposes incidental and ancillary thereto.

(f) As a result rate of diversion has come down to less than 25,000 ha. per year in post 1980 period from 1.5 lac ha. per year during 1950 to 1980 period.

B. PROVISIONS:

(a) Every State Government before diverting forest land for non-forest purpose requires prior approval of Central Government under the Act.

(b) Act is only regulatory in nature and not prohibitory.

(c) Non-forest purposes are defined as breaking up or clearing of any forest land for:
- Cultivation of tea, coffee, rubber, palm, oil-bearing plants, horticultural crops or medicinal plants; and
- Any purpose other than re-afforestation.

(d) However as per guidelines, no approval is required for cultivation of fruit bearing/oil bearing/medicinal plants if they are indigenous

and part of overall afforestation programme.

(e) Clear felling of natural forests for re-afforestation also requires prior approval of Central Government under this Act.

(f) Assigning of forest land in way of lease or otherwise to private persons or to any authority/corporation/agency/organisation not managed or controlled by Govt. also require prior approval of Central Govt.

(g) The Act also provides for constitution of a forest advisory committee for advising Central Government on the proposals received for prior approval from various State Governments.

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PROCEDURE FOR CLEARANCE

(a) Every State Government seeking prior approval of the Central Government is required to send a formal proposal in a prescribed format.

(b) For processing of proposal specific guidelines have been issued to avoid any delay in decision making process.

(c) In case of forest area involved is only up to 5 hectares in extent, the proposals are submitted directly to the Regional Chief Conservator of Forests (Central), who are competent to finally decide all such proposals (except for mining and regularisation of encroachments).

(d) Proposals involving 5 - 20 ha. of forest land are also submitted to the concerned Regional Office, where these are processed in consultation with State Advisory Group comprising of members from various Departments of the State (i.e. Forest, Revenue, Finance, concerned user Department). Such proposals after processing are sent to the Ministry for final decision.

(e) All proposals involving more than 20 ha. of forest land are submitted directly to the Ministry at Delhi. These are processed and placed before Advisory Committee for its recommendation. The Advisory Committee comprises of :

Inspector General of Forests - Chairman

Addl. Inspector General of Forests - Member

Addl. Commissioner (Soil Conservation) - Member
Ministry of Agriculture.

Three non-officials (Environmentalists) - Member

Deputy Inspector General of Forests - Member Secy.
(Forest Conservation).

After obtaining the recommendation of Advisory Committee, the Ministry takes a final decision on the proposal.

(f) To ensure speedy disposal of proposals, specific time limits have been laid down in the guideline, as per which efforts should be made to dispose of each reference at the State Govt. level within a maximum period of 60 days. Cases that are complete in all respects shall be disposed of within 90 days by the Central Government. (Para 4.12)

(g) If requisite information/particulars are not received from the State Government within a maximum of 90 days, the proposal may be rejected by the Central Govt. for non-furnishing of essential information. Such cases could be reopened provided, all the required information has been made available, delay in providing information is satisfactorily explained and there is no change in the proposal in terms of scope, purpose and other important aspects. (Para 4.14)

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PROCEDURE OF ACCORDING APPROVAL UNDER F.C. ACT, 1980

a) Approval under the Forest (Conservation) Act, 1980 is given in two stages. In the first stage, the State Government is informed that the proposal has been agreed in principle but the State Government/user agency are required to transfer the funds as well as equivalent non-forest land to the Forest Department for compensatory afforestation.

b) On receipt of a compliance report in respect of above conditions from the State Government, formal approval (stage-II clearance) is

accorded by Central Government.

IMPORTANT CONDITIONS OF CLEARANCE

a) One of the important conditions stipulated by the Central Government while approving a proposal is raising of compensatory afforestation.

b) Normally compensatory afforestation is stipulated over equivalent non-forest land. However, in the event of non-availability of non-forest land, it can be raised over twice the degraded forest land on submission of a certificate of the Chief Secretary in this regard.

c) In respect of all Central Sector projects and certain small development projects, compensatory afforestation can be raised over twice the degraded forest land without insisting on certificate of the Chief Secretary.

d) In respect of all medium and major irrigation projects, in addition to compensatory afforestation, a condition of catchment area treatment is stipulated.

e) In mining cases, compensatory afforestation is not insisted on broken-up area or underground mining area. In the opencast mining cases, compensatory afforestation is required to be done in lieu of unbroken area and also reclamation of entire lease area.

f) For all cases involving violation of Forest (Conservation) Act, 1980, penal compensatory afforestation over degraded forest land (normally) twice in extent) is stipulated.

MONITORING OF CONDITIONS

Ministry has six regional offices at - Chandigarh, Bhopal, Bangalore, Bhubaneswar, Shillong and Lucknow.Site inspections and monitoring of conditions stipulated is done at regular intervals by these offices.

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PRE-REQUISITE FORMALITIES FOR FOREST CLEARANCE UNDER FOREST (CONSERVATION) ACT, 1980:

a) For diversion of forest land for non forestry purposes under section-2 of Forest (Conservation) Act, 1980, State Government is required to submit proposal in a proforma prescribed under rule 4 of Forest (Conservation) Rules 1981.

b) After receipt of proposal, it is scrutinised in the Ministry in terms of its completeness in meeting the requirement of provisions of guidelines framed under Forest (Conservation) Act, 1980.

c) Any missing information or further clarification is sought from the State Government.

d) Once the proposal is complete in all respect and the forest area involved is more than 40 hectare, Regional Office carries out a site inspection and sends a report on a prescribed format with specific recommendations.

e) After receipt of site inspection report, it is further scrutinised and in case any new fact is brought out in the report which require further clarification or information from the State Government it is called for.

f) After receiving complete information, the proposal is discussed in Forest Advisory Committee which is a statutory body constituted under section-3 of Forest (Conservation) Act, 1980.

g) After obtaining recommendation of Forest Advisory Committee the proposal is put up to the Minister, Environment & Forest for soliciting final decision.

h) After approval of the Minister, proposal is approved in-principle subject to fulfillment of certain conditions mainly transfer of compensatory afforestation land (non-forest) and fund for raising compensatory afforestation /penal compensatory afforestation .

i) Once the compliance report is received in respect of fulfillment of stipulated conditions, final approval is issued under section-2 of Forest (Conservation) Act, 1980.

-11- RECENT MEASURES TAKEN BY FOREST CONSERVATION DIVISION

1. Steps for streamlining the guidelines for forest clearance of development projects:

Ministry had constituted an expert group under the chairmanship of Shri C.D. Pandeya, Ex-IGF for streamlining and simplifying the rules and guidelines framed under the Forest (Conservation) Act, 1980. On the basis of the report of the expert group , Ministry of Law and Justice is being requested to vet the Rule amendments . After that it will be notified in the Gazette . Revised guidelines including simplified proforma will be issued under the modified rule.

The salient feature of the rule amendment is as follows:

(a) On the line of Central Advisory Committee, Regional Advisory Committee has been proposed. It being a broad based body will facilitate examination and consideration of cases for diversion of forest land not exceeding 40 hectare as against 20 hectare proposals which are being presently considered by the State Advisory Group. (Rule 2C).

(b) Detail procedure for preparation of working/Management plan.(Rule 6).

(c) Regional CCF/CF given power to decide cases upto 10 hectare(except cases of mining and regularisation of encroachments) against the present limit of 5 hectare.(Rule 5(5)).

(d) Detail procedure for making a complaint and prosecution for violation of the Act in the court of Law. (Rule Rule 8 to 10).

(e) Rule 12 broadly deals with matters getting supplementary information from the State Government and need for State Government to open a separate cell dealing with proposals for diversion of forest land. In 12(I) it has been proposed that Central Government shall , from time to time, issue notifications for guidelines for effective implementation of the provisions of the Act and these rules.

The Ministry with the objective to cut short the delay in processing of proposals for forest clearance has issued certain revised guidelines as per which all proposals for development project will be submitted to the Ministry`s Regional Offices for processing directly by the State Governments. This will help in reducing the time taken by correspondence between Ministry and States.
Pendency/clearance/guidelines put on website.
Bi-annual meetings being taken between Regional Offices and State Govts.
States being constantly requested to strengthen Nodal cell for quick processing of proposals.

2. Special fund for compensatory afforestation and Forest Conservation Board.
To streamline the process of compensatory afforestation in the States, it is under active consideration of the Ministry to create a `special fund` in the Ministry to which the project authority seeking forest clearance will deposit the cost of afforestation. This fund will be released to the State Forest Department on the pattern of Central Sector Afforestation Schemes.To handle this fund as well as the forest clearance, creation of a Forest Conservation Board is also under active consideration.

3. Setting up of more Regional Offices.
At present, Ministry has six Regional Offices located at Bhopal, Bhubaneswar, Shillong, Chandigarh, Bangalore and Lucknow.The seventh Regional Office at Ranchi was created and steps are being taken to make it functional.Action has also been initiated to create two more Regional Offices at Nagpur and Jaipur.

4. Ministry has advised States to charge cost/Net present value of the forest land from the user agency on the pattern of Bihar State.

5. Till now Benefit Cost ratio is being calculated taking environmental value at Rs. 126.74 lac/ha. for density 1.0 forest. The value has been revised to Rs. 182 lac/ha on the recommendation of an Expert Committee and accordingly States have been asked to give their comments on proposed modification of calculating BC ratio.

PRESENT ARRANGEMENT TO EXPEDITE DECISION ON SMALL DEVELOPMENTAL PROPOSALS INVOLVING F LAND UPTO 5 HA.

In order to ensure expeditious decision on small developmental projects of public utilities involving upto 5 Ha of forest land, ministry has taken following initiatives:

(1) It has delegated powers to decide such proposals to its 6 Regional Offices located at Bhopal,Bhubaneshwar,Bangalore,Lucknow,Chandigarh and Shillong.

(2) It has prescribed a simplified format for submission of proposals involving forest area upto 2 ha. provided no felling of trees is involved.

(3) For hill areas and districts having more than 50% forest cover it has permitted compensatory afforestation to be raised over double the degraded forest instead of normal stipulation of raising it over equivalent non forest land provided the forest land required does not exceed 20 Ha. This has been done keeping in mind that identification and mutation of non forest land in the name of forest department is a time taking process.

SOME IMPORTANT STATISTICS

A. COMPENSATORY AFFORESTATION (as on 30.6.2000):

6046 proposals have been finally approved involving 4.94 lac ha. of forest land.
C.A stipulated over 5.76 lac ha. whereas actual achievement is 3.53 lac ha. (61.28%).
C.A fund realised Rs. 492.82 crores whereas expenditure is Rs. 321.06 crores (65.15%).

B. BROAD CATEGORY OF DIVERSION OF FOREST LAND (APPX. FIGURE):

1. Regularisation of encroachment- 34%. Major States- M.P, Kerala, Karnataka, Gujarat

2. Irrigation -27%. Major States- Maharashtra, A.P, Orissa, M.P, Gujarat

3. Hydel/Thermal -6%. Major States- U.P, Karnataka, Maharashtra

4. Mining -10%. Major States- U.P, Karnataka, Orissa

5. Roads/Transmission line- 7%. Major States- U.P, Orissa, Maharashtra, Karnataka

6. Others -16%
C. YEARWISE DIVERSION OF FOREST LAND (in thousand ha.)

Year	Area	Year	Area	Year	Area
1980	Nil	1987	72.78	1994	13.53
1981	2.67	1988	18.76	1995	46.16
1982	3.25	1989	20.36	1996	8.76
1983	5.70	1990	138.55	1997	16.31
1984	7.84	1991	0.62	1998	12.63
1985	10.61	1992	5.69		
1986	11.96	1993	11.78		

STATUS OF VARIOUS PROPOSALS RECEIVED FOR FORESTRY CLEARANCE DURING 1996-2000 (AS ON 4.1.2001)

S.NO.	STATE	NO. OF PROPOSALS RECEIVED	SANCTI-ONED	REJEC-TED	REJECTED FOR WANT OF INFORMATION	RETURNED/ WITHDRWAN BY STATES	UNDER CONSIDERATION OF MINISTRY	PENDING WITH STATES FOR WANT OF INFORMATION
1.	Assam	214	35	30	0	142	7	0
2.	Arunachal Pr.	23	21	0	0	1	1	0
3.	Andhra Pradesh	122	71	28	8	4	5	6
4.	A N Island	15	10	0	0	0	2	3
5.	Bihar	125	72	3	34	3	5	8
6.	D N H	1 07	78	0	5	0	2	22
7	Gujarat	473	359	24	13	3	5	69
8.	Haryana	222	172	4	11	2	1	32
9.	H P	314	151	18	44	6	5	90
10.	Manipur	5	4	0	0	1	0	0
11.	Meghalya	16	14	0	0	2	0	0
12.	Mizoram	11	6	1	0	0	2	2
13.	Chandigarh	10	6	0	0	0	0	4
14.	Delhi	3	0	0	0	1	0	2
15.	Goa	17	10	2	3	0	1	1
16.	Punjab	417	270	10	49	2	15	71
17.	Orissa	190	131	9	13	7	12	18

18. M P 317 183 57 28 5 16 28
19. Maharashtra 493 309 37 42 1 33 71
20. Rajasthan 386 251 38 13 7 48 29
21. Karnataka 182 91 23 37 3 3 25
22. Kerala 46 22 3 12 1 1 7
23. Tamil Nadu 83 57 18 3 0 1 4
24. Tripura 84 75 3 0 3 2 1
25. Sikkim 14 13 0 0 0 1 0
26. West Bengal 23 17 1 1 1 1 2
27. Uttar Pradesh 888 718 35 23 23 5 84

TOTAL 4800 3146 344 339 218 174 579

ANALYSIS

1. No. of proposals received: 4800

2. Net proposals received (col. 3-7) 4582

3. No. of proposals disposed (col. 4+5) 3490 (76%)

4. Closed for non-furnishing of information by the State Government: 339 (7%)

5. Under active process in the Ministry: 174 (4%)

6. Pending with State Government for want of additional information 579 (13%)

FOREST LAND UNDER ENCROACHMENT (SOURCE: FORESTRY STATISTICS INDIA-2000 PUBLISHED BY ICFRE, DEHRADUN)

STATE/UT	FOREST AREA UNDER ENCROACHMENT IN 1998 (in ha.)	REMARKS
Andaman & Nicobar Islands	1757.97	
Andhra Pradesh	327749.88	
Arunachal Pradesh	44441.00	1997 figures
Assam	N.A.	
Bihar	2177.26	
Chandigarh	4.00	
Dadra & Nagar Haveli	613.31	
Delhi	N.A.	
Goa	6316.68	
Gujarat	77837.70	
Haryana	573.16	
Himachal Pradesh	1357.00	
Jammu & Kashmir	13237.00	
Karnataka	107064.91	
Kerala	48612.00	1997 figures
Lakshadweep	N.A.	
Madhya Pradesh	1757.97	1997 figures.
Maharashtra	72811.00	
Manipur	N.A.	
Meghalya	3743.14	
Mizoram	12.76	
Nagaland	N.A.	
Orissa	27949.24	
Pondicherry	N.A.	
Punjab	N.A.	
Rajasthan	7933.32	
Sikkim	N.A.	
Tamil Nadu	18283.00	

Tripura	8620.00
Uttar Pradesh	36813.97
West Bengal	N.A.
TOTAL	63716.97